

MS Issue Fee  
PATENT  
1560-0401P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant:	Koji KANDA	Conf.:	4111
Appl. No.:	10/694,884	Group:	2837
Filed:	October 29, 2003	Examiner:	R. McCloud
For:	VEHICLE STEERING APPARATUS		

MS Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**The comments attached herewith do not cause substantial interference and delay in the patent issue process and therefore cannot be considered a “failure to engage in reasonable efforts” to conclude processing or examination of the application. Accordingly, the submission of said comments must not result in a reduction of the patent term adjustment of 156 days pursuant to 37 C.F.R. § 1.704(c)(10). See O.G. 26 June 2001, lines 38-53.**

**COMMENTS ON STATEMENT FOR REASONS FOR ALLOWANCE**

Applicant is appreciative of the Notice of Allowance papers dated October 9, 2008. Applicant offers the following comments regarding these documents.

In the Reasons for Allowance, the Examiner indicated that the prior art of record may teach or make obvious various features recited in independent claims 1 and 11. More

specifically, the Examiner stated that “the prior art of record may teach or make obvious a steering apparatus comprising steering motor (e.g. 1<sup>st</sup> motor) to supply a steering mechanism with force corresponding to a steering amount applied to a steering member (e.g. steering wheel), comprising: a reaction force motor (e.g. 2<sup>nd</sup> motor) supplying the steering member with steering reaction force; a vehicle wheel sensor; a torque/current sensor sensing the steering motor torque/current; a means for filtering/extracting a component within a frequency range out of the sensed torque/current; and driving the reaction force motor (2<sup>nd</sup> motor) so as to supply the steering member (steering wheel) with a force corresponding to the extracted component and the steering amount, wherein the frequency range increases and decreases based on the vehicle wheel frequency having a range of about 3hz to 15hz”.

Applicant respectfully notes that since the claims have been allowed, it follows that those features are not taught by the prior art of record since the claims have been made allowable *over* the prior art of record.

Applicant’s representative believes the appropriate statement to accompany the Notice of Allowance should only include allowable subject matter. The statement issued by the Examiner improperly characterizes allowed claims against the distinguishable prior art references.

Applicant respectfully notes that the invention is defined by all of the allowed claims, which stand upon their own recitations, and limitations should not be imputed to any of the claims based upon the statement of Reasons for Allowance. Moreover, Applicant respectfully reserves his right to argue alternative interpretations and additional patentable distinctions of the claimed invention over any alleged prior art, should that need ever arise, and do not necessarily agree with any characteristics of the invention and/or alleged advantages thereof.

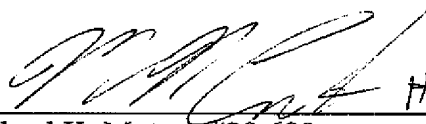
If the Examiner has any questions concerning this application, the Examiner is requested to contact Michael K. Mutter (Reg. No. 29,680) at the telephone number of (703) 205-8000.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

Date: January 7, 2009

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